

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 Jason E. Browne,

5 Plaintiff

6 v.

7 Jereme Bean,

8 Defendant

Case No. 2:24-cv-01917-JAD-BNW

**Order Dismissing  
and Closing Case**

(ECF Nos. 2, 3, 5, 6, 8)

9 Plaintiff Jason E. Browne initiated this case with a document titled “Order to Show Cause  
10 for Preliminary Injunction and Temporary Restraining Order and Memorandum of Law.”<sup>1</sup>  
11 Browne then filed several motions for a temporary restraining order or preliminary injunction.<sup>2</sup>  
12 On October 16, 2024, the magistrate judge ordered him to file an application to proceed *in forma*  
13 *pauperis* or pay the \$405 filing fee by November 15, 2024.<sup>3</sup> Browne did not file an application  
14 to proceed *in forma pauperis* by the November 15, 2024, deadline. Instead, Browne filed a  
15 motion to dismiss the “Temporary Restraining Order, Memorandum of Law, and Order.”<sup>4</sup>

16 I construe Browne’s motion as a motion for voluntary dismissal of this case without  
17 prejudice. Under Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action  
18 without a court order by filing “a notice of dismissal before the opposing party serves either an  
19 answer or a motion for summary judgment.”<sup>5</sup> Browne has not yet filed a complaint or an

20  
21 <sup>1</sup> ECF No. 1-1.

22 <sup>2</sup> ECF Nos. 2, 3, 5, 6.

23 <sup>3</sup> ECF No. 7.

<sup>4</sup> ECF No. 8.

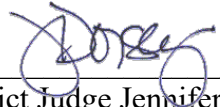
<sup>5</sup> Fed. R. Civ. P. 41(a)(1)(A)(i).

1 application to proceed *in forma pauperis*, and the defendants have not yet been served. So no  
2 responsive pleading has been filed, and I grant the motion and dismiss this action without  
3 prejudice.

4 IT IS THEREFORE ORDERED that **the motion for voluntary dismissal (ECF No. 8)**  
5 **is GRANTED; THIS CASE IS DISMISSED** in its entirety without prejudice, and the Clerk of  
6 Court is directed to **ENTER JUDGMENT accordingly**.

7 IT IS FURTHER ORDERED that the motions for a temporary restraining order or  
8 preliminary injunction (**ECF Nos. 2, 3, 5, 6**) are **DENIED** as moot.

9 Dated: December 5, 2024

10   
11 U.S. District Judge Jennifer A. Dorsey  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23